

## **COMMISSION MEETING MINUTES**

Indiana Fire Prevention and  
Building Safety Commission  
Government Center South  
302 West Washington Street  
Indianapolis, Indiana 46204  
Conference Room B

November 7, 2012

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Vice- Chairman Ogle at 9:02 a.m. on November 7, 2012.

(a) Commissioners present at the Commission meeting:

Diana M. H. Brenner  
Ron Brown  
Tom Cloud  
Kevin Goeden, representing the Commissioner, Department of Labor  
John Hawkins  
Todd Hite, representing the Commissioner, Department of Health  
Matt Mitchell – Acting Chairman beginning at 1:20 p.m.  
Ted Ogle, Vice-Chairman – Present until 12:15 p.m.

Commissioners not present at the beginning of the Commission meeting:

Michael Christoffersen  
Michael Corey  
David Hannum, Chairman

(b) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services  
Shelly Wakefield, Manager, Code Technical Development  
Cecilia Ernstes-Boxell, Code Specialist  
Denise Fitzpatrick, Code Specialist  
John Haines, Code Specialist  
Beth Sutor, Secretary

(c) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.

## 2. Old Business.

A call by Vice-Chairman Ogle for any corrections or a motion to approve the minutes of the October 2, 2012 meeting as distributed was made. Commissioner Mitchell moved to approve the minutes as distributed, with the second by Commissioner Hite. It was voted upon and carried.

## 3. Variances.

### Tabled Variances.

Ed Rensink, RTM Consultants, spoke as proponent for variance 12-06-41 The Warehouse by the Family Center, Bloomington. He asked that the application be tabled. A request by State Building Commissioner Dean Illingworth that the Commission consider denying it was also made. Following a brief discussion, Commissioner Mitchell moved to table for a final 30 days, with the second by Commissioner Brown. It was voted upon and carried. Variance 12-09-4 LaJoya Apartments, Indianapolis, had no proponent available for questions. Since they had stated they would be attending, it was decided to move them to a spot later on the agenda to allow time for them to arrive. Sam Bruner, Pike Twp. Fire Department, was present, and advised the Commission that the fire department would like to have the extinguishers in cabinets to avoid misuse. Variance 12-09-7 Pollert – 210 E. 12<sup>th</sup> Street, Bloomington, had been incomplete but now was eligible to be heard. Following a brief discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Cloud. It was voted upon and carried with one nay. Variance 12-10-4 First Church of Nazarene, LaPorte, had no proponent available. Commissioner Brown moved to table for thirty days, with the second by Commissioner Brenner. It was voted upon and carried. Variance 12-10-5 Nine Irish Brothers, Lafayette, was represented by Troy Gilbert. The request was to omit sprinklers in the walk-in coolers. Dave Thomas, Lafayette Fire Department, also appeared, and stated he did not object to the variance. Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried with one nay vote. The proponent for variance 12-10-10(d) Lilly Building K312-314, Indianapolis, had requested the application be tabled. Commissioner Brenner moved to table for thirty days, with the second by Commissioner Brown. It was voted upon and carried. Variance 12-10-19(a) PCS Hammond LLC Regional Distribution Center Potash Storage Building, Hammond, was represented by Pete Christesen, Dome Corporation of North America. Also present was Jerry Byrd, PCS Hammond. The request was to provide three man doors along the north sidewall and five man doors along the south sidewall, in addition to overhead doors shown on the plans. Since the occupancy of the building was only ten persons during maintenance periods, it was felt the lower number of doors provided would not be adverse. The local fire and building officials did not object to the variance. Mara Snyder, Director, Legal and Code Services, also noted that the building may not be a Class One structure since it was not intended to be occupied at all times, and that maintenance staff was exempt when calculating occupancy. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance 12-10-30(a)(b)(c)(d)(e) Indiana State University North Residence Hall East Building, Terre Haute and 12-10-31(a)(b)(c)(d)(e) Indiana State University North Residence Hall West Building, Terre Haute, were represented by Ralph Gerdes, Ralph Gerdes Consultants. The request in (a) was to allow the tv lounge areas to be open to the corridor on the first floor residential portions of the sprinklered building. Variance (b) was to omit 20 minute rated corridor doors, and (c) was to omit smoke dampers in corridor ducts. Following discussion, Commissioner Brenner moved to approve variances (a),(b) and (c) for both 12-10-30 and 12-10-31. Commissioner Mitchell made the second. It was voted upon and carried. Variance (d) was to allow card readers to control entry to the residential floors from exit stairwells for security reasons. Following discussion, Commissioner Mitchell moved to approve for both buildings if the doors unlocked upon activation of the fire alarm system. Commissioner Brenner made the second. It was voted upon and carried. Variance (e) was to allow a small kitchen on the first floor, with a one hour separation, to have residential appliances and hoods. Following discussion, Commissioner Brenner moved to approve for both buildings, with the second by Commissioner Hawkins. It was voted upon and carried.

### Regular Variances.

Vice-Chairman Ogle asked for any abstentions or variances to be called out of the block vote. Commissioner Hawkins called out variance 12-11-10 Bloomington Body Bar Yoga Studio, Bloomington. Commissioner Cloud advised he would abstain from voting on variance 12-11-26 Broad Ripple Mixed Use Development, Indianapolis and 12-11-29 Rose Hulman Student Housing 2011, Terre Haute. Commissioner Mitchell moved to approve all other variances with an “A” or “B” rating by staff, with the second by Commissioner Cloud. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 12-11-1 Indiana State University Erickson Hall Elevator, Terre Haute
- (2) 12-11-3 Community Hospital South Stair Access Control System, Indianapolis
- (3) 12-11-6 Cardinal House Windows, Bloomington
- (4) 12-11-8 Campus Edge Townhome Windows, Bloomington
- (5) 12-11-9 Bethel Memorial Church, Princeton
- (6) 12-11-11 127 W. Wayne Fire Hose Removal, Ft. Wayne
- (7) 12-11-12 118 E. 17<sup>th</sup> Street Windows, Bloomington
- (8) 12-11-13 3305 E. Gosport Ct. Windows, Bloomington
- (9) 12-11-18 Beacon Hill Apartments Windows, Bloomington
- (10) 12-11-22(a)(d)(e) Ball State University Johnson A. Hall Addition, Muncie
- (11) 12-11-23 Rolls-Royce Meridian Center North Building Security Revision, Indianapolis
- (12) 12-11-27 Grand Park Pump House, Westfield
- (13) 12-11-28 Subaru Body Shop Expansion 3, Lafayette
- (14) 12-11-29 Rose-Hulman Student Housing 2011, Terre Haute
- (15) 12-11-31 Sylvia's Brick Oven Restaurant, Lafayette
- (16) 12-11-34(a)(b) Greencroft Goshen Healthcare Addition, Goshen
- (17) 12-11-41 Ivy Tech Community College Southbridge Crossing, Mooresville
- (18) 12-11-43(a) Indianapolis Zoo Orangutan Exhibit, Indianapolis
- (19) 12-11-45 West River Health Campus, Evansville
- (20) 12-11-48 1733 Meridian Apartments, Indianapolis
- (21) 12-11-50(a)(b) The Axis, Indianapolis
- (22) 12-11-51(c) Norwell High School Revitalization Project, Ossian
- (23) 12-11-55 Purdue Research Foundation Clinic, West Lafayette
- (24) 12-11-56 Fifth Third Bank-Carmel, Carmel

The following variances were heard separately:

- (25) 12-10-4 First Church of Nazarene, LaPorte

Dale Dafoe, Zion Church Builders, Inc., stepped forward to speak as proponent, having arrived after the variance had been tabled. The maker and second of the motion to table withdrew their motion, and the proponent was allowed to speak. The request was to omit sprinklers in the A-3 occupancy. The nearest public water supply was over a quarter mile away, and the cost to lay pipe and tie into the system would be over a third of the entire budget. The kitchen was to be of block construction with fire shutters. A list of alternatives had not been included in the application, and the proponent was unable to provide it for the Commissioners. Following discussion, Commissioner Brown moved to table to allow the proponent to provide the list of what the church has agreed to do, and to discuss with the church membership the suggested smaller sprinkler system. The second was made by Commissioner Brenner. It was voted upon and carried.

- (26) 12-09-4 LaJoya Apartments, Indianapolis

Vice-Chairman Ogle called again for a proponent to speak, and found no one present. Commissioner Brenner moved to table for 30 days, with the second by Commissioner Cloud. It was voted upon and carried.

- (27) 12-11-2(a)(b) Napolese Expansion, Indianapolis

Chris Cotterill, Faegre Baker Daniels, spoke as proponent. Kevin Coppedge, Studio 3 Design, also spoke. A fire door had been installed between two portions of an existing building which was being renovated. A mag lock was to be installed to close it at the sounding of a fire alarm, maintaining the separation of the Wine Room and the Napolese. Code required that

a ramp be installed at the door, but since the doorway is used as a pass-through by staff and is not a required exit, the request was to omit the ramp. A removable service counter had been installed to facilitate the food service between the two sides of the barrier wall. Steve Bartram, City of Indianapolis, addressed the Commission, asking for a more permanent pass-through arrangement to prevent the use of the doorway by personnel as a doorway and not a pass-through for food and drink. Following discussion, Commissioner Hawkins moved to approve both (a) and (b), with the second by Commissioner Brenner. It was voted upon and carried with one nay vote.

(28) 12-11-4 C&D Technologies Inc. Access Control, Attica

Jon Kapellusch and Paul Martin, C&D Technologies, spoke as proponents. The request was to allow the use of magnetic locks to control access from the lobby into the main building. The lobby has two additional exits, unlocked during business hours, with panic hardware. The magnetic locks are not installed on a required exit, and will fail open at loss of power. There is also a "push to exit" button within five feet of the doors. Following discussion, Commissioner Hawkins moved to approve with the condition that they meet the requirements of the 2012 International Building Code, specifically that they add interlocks for power failure, provide an obvious mode of door operation, and that it be operational with one hand. Commissioner Brenner made the second. It was voted upon and carried.

(29) 12-11-5 Nashville Police Department Records Vault Sprinkler Removal, Nashville

Roger Bush, Town of Nashville, spoke as proponent. The department was moving into a different building, and a concrete room with a fire door, located in the center of the building, was to be used for records storage. The request was to remove the sprinkler heads from the room. Following a discussion of smoke damage vs. water damage, Commissioner Cloud moved to deny. Commissioner Hawkins made the second. It was voted upon and carried.

(30) 12-11-7(a)(b) Indianapolis Fire Department Station #4 Temporary Structure, Indianapolis

T.J. Burns, Indianapolis Fire Department, spoke on behalf of the fire department. The request was to allow the use of a temporary structure, to house fire apparatus during the construction of a new facility, beyond the length of time allowed by code. The facility was expected to be completed in 180 days. Following discussion of snow removal and heating for the structure, Commissioner Mitchell moved to approve both applications, with the second by Commissioner Hawkins. It was voted upon and carried.

(31) 12-11-10 Bloomington Body Bar Yoga Studio, Bloomington

Doug Trent, RTM Consultants, spoke as proponent. The second floor of an existing, sprinklered building was being remodeled for use as a yoga studio with fewer than 30 occupants. The request was to allow a travel distance which exceeded the distance allowed by code by approximately 25 feet. The stairway, which served the second floor, exits directly to the exterior. Ed Rensink, RTM Consultants, noted that the table has listed the B occupancy in two areas, and that this application made the 75' travel distance. Following further discussion, Commissioner Brown moved to table to allow further review of the drawings, with the second by Commissioner Hawkins. It was voted upon and carried.

(32) 12-11-14 SOAR Sprinklers, South Bend

The application was incomplete and not eligible to be heard. Commissioner Brenner moved to table with the requirement that a revised, clearly legible and fully completed application be submitted, with the second by Commissioner Brown. It was voted upon and carried.

(33) 12-11-15 Lock Joint Tube, South Bend

Larry McCutcheon, Progressive Engineering, spoke as proponent. After giving a building to the City of South Bend, a company's existing F-2 building no longer had 60' sideyards all around to maintain their unlimited area requirements. Installing a 4-hour fire wall to divide the building into fire areas would hinder production and be financially prohibitive.

High density sprinklers would be installed along the inside of the building where the neighboring building is closer than 60', and a no-build easement agreement was to be executed. Both buildings already had smoke alarms. Following discussion, Commissioner Brenner moved to approve with the condition that the no-build easement go all the way down the building and the fully executed agreement be submitted to staff no later than 60 days from November 7<sup>th</sup>. Commissioner Goeden made the second. It was voted upon, and failed by a vote of 3 to 4. Commissioner Hawkins moved to deny with the second by Commissioner Mitchell. It was voted upon and carried by a vote of 4 to 2.

(34) 12-11-16(a)(b)(c) Washington Towers Elevator Upgrades, Washington

Morgan Sweeney, Morgan Sweeney Associates, spoke as proponent. There are six 3" diameter existing electrical conduits in the elevator hoistway and machine room. The request in (a) was to allow them to remain in place. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (b) was to allow the existing ladder access for the machine room to remain in place in lieu of a code-compliant stairway for which there was no available space. Commissioner Hawkins moved to approve, with the second by Commissioner Cloud. It was voted upon and carried. Variance (c) was to omit the sump pump required by the code of record. Sump pumps are no longer required by code. Commissioner Mitchell moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

(35) 12-11-17 Stonegate Mortgage First Floor Expansion, Indianapolis

The application was incomplete and ineligible to be heard. Commissioner Brenner moved to table for thirty days, with the second by Commissioner Mitchell. It was voted upon and carried.

(36) 12-11-19 Kings Inn of Indianapolis, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to be allowed to remove a private hydrant which is not functioning, and cannot be repaired. The building is served by one other private hydrant and two public hydrants which are less than 700 feet from the building. T.J. Burns, Indianapolis Fire Department, advised the Commission that the department did not object to the variance. Commissioner Mitchell moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

(37) 12-11-20 New Bridges Apartments, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The standpipe system in the building was not able to be repaired, and the request was to allow the owner to remove the outside fire department connections. The interior connections were to have signage installed advising they were nonfunctional. T.J. Burns, Indianapolis Fire Department, stated that the department would prefer the connection be kept and signage posted that it was non-operational and the valves be capped. The proponent agreed. Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

(38) 12-11-21 Care Animal Hospital, Muncie

Dr. Michael Brown, owner, and Bill Neely, electrician, spoke as proponents. The request was to be allowed to have electrical cords extend through the ceiling tiles, located at each cage, to power monitors, pumps, etc, for use in patient treatment. Following a lengthy discussion of various systems available for use, Commissioner Hawkins moved to table to

allow the proponent to examine a system using coiled cord and special plug. Commissioner Brown made the second. It was voted upon and carried.

**Breaking and reconvening.** Vice-Chairman Ogle recessed the Commission at 10:55 a.m. It was called back to order at 11:12 am.

(39) 12-11-22(b)(c)(f)(g) Ball State University Johnson A. Hall Addition, Muncie

Ed Rensink, RTM Consultants, spoke as proponent. Variance (b) was to allow shortened ceiling heights in portions of the corridor area and bulkheads of room entries. The noncompliance was due to existing construction and the need to protect sprinkler piping and other utility elements from possible damage by residents. Commissioner Cloud moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) was a request to use the corridor for relief air for the dorm rooms, and exhaust make-up air for the bathrooms. The air would not re-circulate in the building, and smoke dampers, installed in ducts into bathrooms, would be closed by smoke alarms. Commissioner Cloud moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (f) was to allow the mechanical penthouse to exceed the permitted 33% of the roof area. The mechanical penthouse served the entire building, and would shelter only mechanical equipment and vertical shaft openings. Commissioner Brown moved to approve, with the second by Commissioner Cloud. It was voted upon and carried. Variance (g) was to allow seating areas to be open to the corridors on the residential floors in order to permit social interaction outside of the resident rooms. The areas would comply with NFPA 101 Life Safety Code in this sprinklered building. Commissioner Cloud moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

(40) 12-11-24(a)(b) IPS School #67 Renovations, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. In variance (a), a wheelchair lift, installed to provide access to the stage area, was cited by the Division of Elevator Safety for having sprinkler piping over the area, prohibited by the Elevator Code without a shunt trip. To omit the sprinklers would create a gap in coverage, and thereby cause the building to no longer be fully sprinklered per NFPA 13. The conflict had been noted in other projects, and the agency had agreed, in the past, that it wasn't a violation. Following discussion, Commissioner Cloud moved that no variance was required. The second was made by Commissioner Hawkins. It was voted upon and carried. Variance (b) was a request to waive the re-inspection fees caused by the citation. Commissioner Mitchell moved to approve, with the second by Commissioner Goeden. It was voted upon and carried.

(41) 12-11-25 Sensient Flavors Freezer and Cooler Rooms, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. An additional H-3 occupancy area for the storage of flammable liquids was to be created within an unlimited area building, and would exceed the H-3 area allowed by code. The rooms would be placed against an exterior wall, and would be for closed-container storage of Class IB flammable liquids. The building is sprinklered, and the new area will be sprinklered and have a 1-hour separation. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

(42) 12-11-26 Broad Ripple Mixed Use Development, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The variance was submitted to clarify if variance 12-03-26, approved to allow window openings in the first floor and parking garage openings in the 2<sup>nd</sup> and 3<sup>rd</sup> floor south exterior wall of the building, allowed windows for a stairway which served only the parking garage. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Commissioner Cloud abstained.

- (43) 12-11-30 Earlham College Tyler Hall, Richmond

Ed Rensink, RTM Consultants, spoke as proponent. A building constructed in 1907 was being renovated, and a Chapter 34 evaluation had been done. The request was to allow an overall passing score for Fire Safety and Means of Egress categories. The building will be sprinklered throughout, with a fire alarm system installed. The existing, nonrated stair was to be provided with nonrated doors fitted with closers at each floor level. A second stair was to be enclosed with 1-hour construction. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (44) 12-11-32(a)(b) Faith West, West Lafayette

Ed Rensink, RMT Consultants, spoke as proponent. The request in variance (a) was to allow nonrated exterior windows above the termination of the fire wall. The 1-story building was to be sprinklered per NFPA 13, and the 4-story building per NFPA 13R. Sprinklers were to be provided at the ceiling level, centered on each window occurring within the required distance above the lower roof. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (b) was to allow the 4 and 5 bedroom apartments to exceed the allowable common path of egress travel distance. The building would meet the upcoming Building Code. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (45) 12-11-33(a)(b) 8 West Louisiana Conversion, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. A pre-1900's building was undergoing a change of use from residential on the second floor to office space, and from storage to work space in the basement. The first floor, which had been office space, was to remain as offices. The request in (a) was to allow a score of less than one hour in the vertical openings of the Chapter 34 evaluation, done for the change of occupancy. This was due to the existing partially open stair. The building was to be provided with fire and smoke alarms throughout. Following discussion, Commissioner Hawkins moved to approve with the condition that a door be installed in the stairway at the entry to the basement. Commissioner Cloud made the second. It was voted upon and carried. Variance (b) was to allow the travel distance from the basement to exceed the 75' allowed by code. Following discussion, Commissioner Hawkins moved to deny with the second by Commissioner Brown. The proponent then requested it be tabled instead. The maker and second withdrew their motions. Commissioner Hawkins then moved to table to allow the proponent to review options, with the second by Commissioner Brown. It was voted upon and carried.

- (46) 12-11-36 Greendale Pool Turnover Rate, Greendale

Eric Chambers and Charles Schneider of Brandstetter Carroll, Inc, and city representatives Doug Hedrick and Steve Lampert, spoke as proponents. The request was to be allowed to provide a 1.91 hour turnover rate for the zero depth portion of the pool, and a 5.76 hour turnover rate for the diving/lap portion of the pool. This would be an average turnover rate of 3.38 hours, and would provide a cost savings to the city. Following discussion, Commissioner Hite moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

- (47) 12-11-37(a)(b) Pioneer Tipton Corn Treater Expansion, Tipton

The proponent had requested the application be tabled until January to allow for changes to the design of the facility and modified variance requests. Commissioner Mitchell moved to table until January, with the second by Commissioner Hite. It was voted upon and carried.

- (48) 12-11-38 Julie's Wags and Whiskers, Paoli
- (49) 12-11-39 Sara's Boarding, Paoli

Julie Apple, and Sara Whitfield, the respective owners, spoke as proponents. The facilities both were unable to provide an accessible path to the public way due to the ten foot elevation of their lots. They had provided an accessible pathway to the parking lots, and had provided handicapped parking spaces in these lots. Mark Reynolds, Fire and Building Code Enforcement, noted that the agency supported these variances. Following discussion, Commissioner Hawkins moved to approve both 12-11-38 and 12-11-39, with the second by Commissioner Brenner. It was voted upon and carried.

- (50) 12-11-40(a)(b) JAE Hardwoods Storage Addition, Wolcottville

Tim Callas, J & T Consulting, spoke as proponent. Variance (a) was to omit sprinklers or fire barriers in a storage addition and diesel room addition. The facility cuts green lumber into planks, while using a dust collection system powered by the diesel generator, and stores them, wet and green, while awaiting orders. The planks are then moved to a kiln to be dried, loaded onto a customer's vehicle and shipped out. Following discussion, Commissioner Hawkins moved to table so that more detailed drawings of the addition, including exiting, fire department access doors, and exit signs, could be provided. Commissioner Cloud made the second. It was voted upon and carried. Variance (b) was to omit lighted exit signs. The exits were to be marked with reflective exit signs. Commissioner Hawkins moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

- (51) 12-11-42 St. Alphonsus Liguori Catholic Church Parish Hall, Zionsville

Christina Collester, RTM Consultants, spoke as proponent. A variance to permit the use of a fire barrier in place of a fire wall to separate the kitchen had been previously granted. During construction, a 4x6 wood beam, 4 feet in length, was found supporting the roof structure and in the way of completion of the wall to the roof deck above. Classified as heavy timber with a 1-hour rating, the contractor created a 2-hour construction with it to protect the ceiling trusses. The request was to allow the use of the installation, though it does not have a UL assembly number for this purpose. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

**Breaking and reconvening.** Due to previous commitments, Vice-Chairman Ogle was unable to continue following the lunch break. Commissioner Mitchell had been asked to serve as Acting Chairman. A motion was made by Commissioner Hawkins to have Commissioner Mitchell serve, with the second by Commissioner Cloud. It was voted upon and carried. Vice-Chairman Ogle then recessed the Commission for lunch at 12:15 p.m. It was called back to order by Commissioner Mitchell at 1: 20 p.m.

- (52) 12-11-43(b) Indianapolis Zoo Orangutan Exhibit, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The request in (b) was to be allowed to use a sprinkler product outside of its listing. In order to keep the sprinklers out of the view and the reach of the orangutans, attic sprinklers would be used in the enclosure peak roof. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

- (53) 12-11-44 Smart Start Center, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The request was to allow six daycare classrooms for 3 and 4 year olds to continue to use lofts without the installation of sprinklers beneath them. Each room had direct egress to the outside of the building, sprinklers, plus fire and smoke alarms. The federal facility had been designed using PBS-100 and PBS-140 design guides in use at that time, and no design reductions allowed by the Indiana Building Code were used. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried with one nay.



- (54) 12-11-46 Mad Anthony Children's Hope House, Ft. Wayne

Dennis Bradshaw, FP&C Consultants, spoke as proponent. When the facility was built in 1998, it was not required to be sprinklered. They were now to sprinkle the facility, but wished to use a 13D system in lieu of the 13R system. Following discussion, Commissioner Brenner moved to approve, with the condition that a water-flow alarm be added. Commissioner Cloud made the second. It was voted upon and carried.

- (55) 12-11-47 American Wholesale Furniture Addition, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the addition to be unlimited area. The existing building had been granted a variance for unlimited area with the installation of sprinklers along the portion of wall within 5 feet of the property line. The current addition had 60' feet to allow property lines and was to be sprinklered with an ESFR sprinkler system, as was the original building. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

- (56) 12-11-49 Penn Circle Apartments, Carmel

Ralph Gerdes, Ralph Gerdes Consulting, spoke as proponent. The city of Carmel had verbally cited the alternating tread stairway from the 3<sup>rd</sup> floor to the roof for not having a guardrail with 4" sphere protection under Section 1009.9. This section doesn't require guardrails, but speaks only to handrails. Following discussion, Commissioner Hawkins moved to approve with the condition that a gate be added such that it made the guardrail a compliant condition. Commissioner Cloud made the second. It was voted upon and carried with one nay.

- (57) 12-11-50(c)(d)(e)(f)(g)(h)(i) The Axis, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (c) was a request to allow an elevator serving six apartments to not comply with the size requirement for accommodating a stretcher. The apartments were on the second floor. The proponent also noted that the parking garage was accessible from the second floor and could be used as a means of transporting the patient. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried with one nay. Variance (d) was a request to allow a 4" drop from the door to the balcony in Type A accessible units. The drop was to keep rain and snow out of the apartments. They would be made compliant at the request of the tenant, as would the Type B units. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Variance (e) was a request to allow oil-filled transformers to be installed inside the building without being located within a vault or enclosure. The equipment to be installed would be exterior-rated equipment. Following discussion, Commissioner Cloud moved to approve with the condition that listed equipment appropriate for that use be installed. Commissioner Hawkins made the second. It was voted upon and carried. Variance (f) was a request to allow floor-mounted toilet piping for apartments to be located above a food preparation in the Marsh grocery store. Code does not allow this. The 2012 Indiana Plumbing Code would allow this, so long as the waste piping was covered by a ceiling. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Variance (g) was to allow a trash chute to serve two floors without going to the roof per code. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried with one nay vote. Variance (h) was to omit guardrails for the mechanical equipment on the roof. A tie-down system would be provided for maintenance workers. Following discussion, Commissioner Brenner moved to deny, with the second by Commissioner Goeden. It was voted upon and carried. Variance (i) was to allow unprotected windows in the exterior wall of the stair enclosure. The building was protected by NFPA 13 sprinklers, and stair openings would be protected by interior sprinklers placed within 12 inches of the opening planes. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

(58) 12-11-51(a)(b)(d) Norwell High School Revitalization Project, Ossian

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was a request to allow two exterior canopies to be added. The canopies would be on non-combustible materials. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) was a request to allow three temporary dead-end corridors during the time of construction. The building had corridor smoke detection, a fire alarm system with pull stations, and egress signage was to be provided. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (d) was to allow some ceiling tiles to be removed during remodeling, which is not allowed by code because of the impact on sprinkler system activation. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

(59) 12-11-52(a)(b) One America Parking Facility, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was to allow the open parking garage to have only one accessible means of egress. The elevator was to be on stand-by power and would be able to evacuate people. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (b) was withdrawn.

(60) 12-11-53(a)(b)(c) Dow AgroSciences Building One B314, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request in variance (a) was to allow the access pad in the vestibule to comply with the ADA code of record for maximum allowable height of installation. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance (b) was to allow fire detectors, installed voluntarily to enhance protection, to not be placed in full compliance with requirements of NFPA 72. Sam Bruner, Pike Twp. Fire Department, stated they had put them in the wrong places, and when they went back last week they had been removed. Tom Jensky, BSA Lifestructures, stated some were to be going back. Staff had suggested no variance was required during their review. Following discussion, Commissioner Hawkins moved that no variance was required, with the second by Commissioner Brenner. It was voted upon and carried. Variance (c) was a request to allow the use of reclaimed maple planks treated with linseed oil in some areas for feature walls as an interior finish. The proponent stated that linseed oil is a Class III-B combustible liquid. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

(61) 12-11-54(a)(b) Linton-Stockton Middle School 2012 Addition, Linton

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was a request to allow an existing unlimited area school to have an addition which does not have the required 60 feet of open yard. Both are to be protected by an NFPA 13 system, and close spaced sprinklers were to be placed over window facing the adjacent building. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (b) was to permit connecting the sprinklered high school and unsprinklered middle school with separation by a 4-hour fire barrier. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

4. Discussion and possible Commission adoption of LSA Doc. #11-685 (NFPA 25)

A copy of the proposed changes to LSA Doc. #11-685, had been distributed to the members of the Commission in the form of a memo from Shelly Wakefield, Manager, Code Technical Development, explaining the changes which had been requested following review by the Attorney General's office. Commissioner Brown moved to adopt LSA Doc. #11-685 as published in the Indiana Register on August 1, 2012 as DIN:20120801-IR—675110685PRA, as amended by the

recommended changes contained in the memo from Shelly Wakefield dated October 30, 2012. Commissioner Hawkins made the second. It was voted upon and carried.

#### 5. Discussion and possible Commission adoption of LSA Doc. #12-51 (NFPA 10)

A copy of the proposed rule to adopt the 2010 Edition of NFPA 10, LSA Doc. #12-51, had been distributed to the members of the Commission, as well as a copy of proposed changes in a memo from Shelly Wakefield recommending two changes as a result of the public comments, which were also provided. Commissioner Cloud moved to adopt LSA Doc. #12-51 as published in the Indiana Register on June 27, 2012 as DIN:20120627-IR-675120051PRA, as amended by the recommended changes contained in the memo from Shelly Wakefield dated October 22, 2012. The second was made by Commissioner Brenner. It was voted upon and carried.

#### 6 . New Business – General.

Discussion and possible Commission action

JFS Milling, Inc.  
Administrative Cause No. 12-22  
Condition of CDR  
Nonfinal Order of Dismissal

Roca Bar North  
Administrative Cause No. 12-28  
Order – Fire and Building Code Enforcement  
Nonfinal Order of Dismissal

Commissioner Hawkins moved to approve the Nonfinal Orders of Dismissal, with the second by Commissioner Brenner. It was voted upon and carried.

#### 7. Discussion and Possible Commission action on petitions for review (Timely filed unless otherwise noted.)

Community Church of Columbus Kitchen Remodel  
Order – Fire and Building Code Enforcement

Diamonds of Indiana  
Order – Fire and Building Code Enforcement

St. Mary's Epworth Crossing  
Condition of CDR Project #359692

Commissioner Hawkins moved to approve the timely petitions for review. Commissioner Cloud made the second. It was voted upon and carried.

Rivet School Annex Elevator  
Order – Elevator Safety Division  
*Not timely filed*

Commissioner Hawkins moved to deny the petition for review which had not been timely filed. Commissioner Cloud made the second. It was voted upon and carried.

**11. Comments**

Mara Snyder, Director, Legal and Code Services, said she hoped LSA Doc. #12-51 would be off to the Governor's office in approximately three weeks, and that LSA Doc. #11-685 should be there before Christmas. She thanked everyone for coming.

**12. Adjournment.**

Acting Chairman Mitchell called for further business, and upon hearing none, adjourned the meeting at 2:40 p.m.

APPROVED \_\_\_\_\_  
David Hannum, Chairman